IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE CRIMINAL JURISDICTION

CRIMINAL WRIT PETITION NO.2600 OF 2005

Smt.Snehalata Shantaram Sawant .. Petitioner
v/s.
The State of Maharashtra & ors. .. Respondents

Mr.N.N.Gavnekar with Mr.Arfan Sait for the petitioner.

Ms.P.H.Kantharia, Addl. Public Prosecutor for the State.

CORAM : SMT.RANJANA DESAI AND ANOOP V. MOHTA, JJ.

DATED : 25th October, 2005.

P.C.

Heard learned counsel for the petitioner who is the mother of convict Ravindra Shantaram Sawant (convict for convenience). He submits that the convict is in jail for about 14 years. He was convicted for the offence under section 307 IPC and sentenced to life imprisonment. The learned counsel further pointed out that the convict was earlier released on parole by the Government of Maharashtra on his furnishing surety bond of Rs.2000/-. The learned counsel also pointed out that on earlier two occasions, he was released on furlough and he surrendered to the prison authorities in time. He further states that by order dated 19th December, 2002 (Coram: Deshpande, J.) the convict has been released on P.R.Bond of Rs.5000/-. The learned counsel pointed out that though pursuant to the order dated 29th August, 2005 (Coram: A.S.Oka, J.), respondent No.3 has passed order releasing the convict on furlough on

3rd September, 2005, he is not being released on furlough because respondent No.3 has not accepted the surety furnished by the petitioner. The surety is the maternal uncle of the convict. The reason for not accepting the surety is that the name of the maternal uncle was not found in the ration card. However the said maternal uncles name is now entered in the ration card. The learned counsel submitted that against the backdrop of the above facts, the convict may be released on furnishing P.R. Bond of Rs.5000/- as was done by this court by its order dated 19th December, 2002.

2. Order dated 19th December, 2002 was passed by this court in the peculiar facts and circumstances present at that stage. We do not think that we can pass the similar order today. However, we are informed that the name of the maternal uncle of the convict one Janardan Ramchandra Parab is now mentioned in the ration card. If that is so, we direct respondent No.3 to accept him as the surety and release the convict on furlough. Expeditious disposal is expected. Petition disposed of.

3. Parties may be provided ordinary copy of this order duly authenticated by Court Sherestedar on payment of usual copying charges.

(SMT.RANJANA DESAI, J.)

(ANOOP V. MOHTA, J.)